

## Amended August 2015

### O-180-2015

Words in ~~strike through~~ being deletions from existing law, and words **underscored and boldfaced** being additions:

- (a) Section 89-6(a) is hereby enacted to read as follows:

**Notwithstanding any setback established by this Article, buildings adjacent to substandard streets may be subject to additional setbacks (see Article 3, § 89-38).**

- (b) Section 89-6(b) is hereby enacted to read as follows:

**Private Roads and Driveways. A private road or driveway shall be accessory to the principal use of the parcel or lot upon which the same is located. Where a private road or driveway is the principal use of a parcel or lot, the use of such private road or driveway shall be concordant with the zoning district of the property upon which the private road or driveway is located. Accordingly, a private road or driveway located on property zoned RS shall not be trafficked except for traffic accessory to uses permitted in the RS district. Notwithstanding the foregoing, traffic accessory to uses permitted in the RS district shall be permitted on private roads and driveways located within the RM district; traffic accessory to uses permitted in the RS and RM districts shall be permitted on private roads and driveways located within MN, CM, CH and PI districts; and traffic accessory to uses permitted in the RS, RM, MN, CM, CH and PI districts shall be permitted on private roads and driveways located with IL and IH districts.**

- (c) Section 89-9(b)(4) is hereby deleted and the subsequent sections (5) and (6) sections are renumbered to (4) and (5) respectively.

~~The open space requirements above apply only to newly subdivided residential developments of more than four lots.~~

- (d) Section 89-9(b) is hereby amended and reenacted to provide the correct Lot Size dimensions, as follows:

Lot Dimensions		RS-1	RS-2
1	Lot size ( <i>min</i> )	7,000	4,000
		<b><u>6,000</u></b> sf	sf

- (e) Section 89-10(b)(2) is hereby amended and reenacted to read as follows:

A detached Single-Family Residence ~~has~~ **shall have the same** minimum lot size **and alley requirements as following** the RS zoning district.

- (f) Section 89-11(b)(3) is hereby deleted:

~~In the MN district, goods or merchandise or materials may be stored or displayed outside a building only in a sidewalk frontage zone (see Article 3, § 89-44 (f)).~~

- (g) Section 89-14(b)(4) is hereby deleted:

In the CM district, goods or merchandise or materials may be stored or displayed outside a building only in a sidewalk frontage zone (see Article 3, § 89-44 (f)).

- (h) Table 89-21-2, the “Use Table,” is hereby amended and reenacted to delete “Child Care, Commercial” from the “Residential, Group Living” Use Category, and to conditionally permit a “Child care facility, commercial” use in the RM district:

*Table 89-21-2 Use Table*

Use Category	“A” Agricultural	“RS” Residential Single-Family	“RM” Residential Mixed	“MN” Neighborhood Mixed Use	“MX” Mixed-Use Center	“D” Downtown	“CM” Commercial Mixed	“CH” Commercial Heavy	“PI” Public/Institutional	“IL” Industrial Light	“IH” Heavy Industrial
<b>Residential</b>											
<b>Group Living:</b>											
Child Care, Commercial			P	P	P	P	P	P		P	
<b>Public/Civic/Institutional</b>											
<b>Day Care:</b>											
Child care facility, commercial			C	P	P	P	P	P	A	P	

- (i) Table 89-21-2, the “Use Table,” is hereby amended and reenacted to delete “Contractor” as a permitted use in the CH district:

*Table 89-21-2 Use Table*

Use Category	“A” Agricultural	“RS” Residential Single-Family	“RM” Residential Mixed	“MN” Neighborhood Mixed Use	“MX” Mixed-Use Center	“D” Downtown	“CM” Commercial Mixed	“CH” Commercial Heavy	“PI” Public/Institutional	“IL” Industrial Light	“IH” Heavy Industrial
<b>Industrial/Production</b>											
<b>Manufacturing &amp; Employment:</b>											
Contractor	C							P		P	P

- (j) Section 89-21(d) is hereby amended by amending and reenacting the definition of “Dwelling, two-family (duplex)” as follows:

A building designed as a residence for two families living separately. The units may be **integrated** horizontally, vertically (with one above the other), or back to back.

(k) Section 89-22 is hereby amended and reenacted to read as follows:

~~(a) Applicability: This section applies to areas where Council action has created overlay districts. Each district is as defined below.~~

~~(b) Districts~~

~~(1) Louisiana Avenue Zoning and Development Overlay District — for limits and information see O-061-2005.~~

~~(2) Louisiana Avenue Interstate 10 Zoning and Development Overlay District — for limits and information see O-012-2006.~~

**The Louisiana Avenue Zoning and Development Overlay District and the Louisiana Avenue Interstate 10 Zoning and Development Overlay District, established pursuant to Ordinances O-061-2005 and O-012-2006 respectively, shall remain in full force and effect. The standards governing zoning and development within the overlay districts are set forth in Appendix A to this Chapter.**

(l) Section 89-26(d)(12) is hereby amended and reenacted to read as follows:

Driveways Requiring Motorists to Back Out ~~Onto~~ **onto** Street. A driveway shall not be constructed so as to force a motorist to back out into the street as a means of egress, except for driveways constructed for a single-family or two-family residence, but these must be built in accordance with the head-in/back-out parking requirements in § 89-39(i). Single and two-family residences shall have area within the property to turn around so a vehicle may pull out onto ~~Lafayette Transportation Plan~~ streets **designated** collector or higher.

(m) Section 89-28(f)(1) is hereby amended and reenacted to read as follows:

If the MUC is a ~~privately initiated~~ **an owner-initiated** rezoning, it shall include at least the amount of open space required below. If LCG initiates an MUC, the MUC shall include a plan for providing and maintaining the required open space.

(n) Table 89-36-4 is hereby amended and reenacted to specify planting units for Buffer Type F to read as follows:

**Table 89-36-4 Planting Units Required by Buffer**

Buffer Type	Planting Units
A	2
B	5
C	11
D	11
E	12
<b><u>F</u></b>	<b><u>13</u></b>

Each buffer type "A" through "F," below, is assigned the following number of PUs to determine whether a type "N" buffer may be substituted:

- (o) Section 89-38(c)(4)(c) is hereby amended and reenacted to read as follows:

In the unincorporated Parish, lots established in any subdivision plat that are not served by a public or off-site sanitary sewer system shall meet the requirements of the State Department of Health and Hospitals relative to sewerage disposal and potable water facilities (*i.e., lots with individual sewer systems must have a minimum lot size of 12,000 square feet with a minimum frontage of 60 feet*). ~~Lots with a public or off-site sanitary sewer system shall comply with the following:~~

	Use	
	Non-residential or Mixed Use	Residential
Area ( <i>min.</i> )	5,000 sf	12,000 sf
Frontage ( <i>min.</i> )	60 feet	20 feet

- (p) Section 89-38(f)(e) is hereby enacted to read as follows:

The Administrator may waive any setback required under regulations in effect prior to the Effective Date of this Chapter (see § 89-173) to the extent that the property at issue is located in a zoning district with required setbacks that conflict with such regulations.

- (q) Section 89-40(c)(1) is hereby amended and reenacted to read as follows:

**Amount Required.** Open space is required as a percentage of the gross developable area of a lot or lots. ~~in as indicated for that particular zoning district~~ In the City of Lafayette, the amount of open space required depends upon the zoning district in which the property is located, as set forth in Article 2. Open space requirements may vary when included as part of a Mixed-Use Center (89-28). In the unincorporated areas of Lafayette Parish, the amount of required open space shall be twenty (20%) of the gross developable area.

- (r) Section 89-42(f) is hereby amended by deleting the text preceding subsection (f)(1) as follows:

~~Any facility proposed for a development that controls the flow of storm water includes, but not limited to, ponds and basins.~~

- (s) Section 89-44(b)(3)(c) and (d)(1)-(3) are hereby amended and reenacted to read as follows:

- (c) The external connection shall be provided by extending at least one (1) street to the boundary line of the tract. ~~An external connection shall be provided by extending at least one (1) street to the boundary line of the tract. The number of external connections to the boundary line with adjoining tracts is equal to the common boundary length divided by twice the minimum required block length (see 89-38(d)(3)). In calculating this number, fractions are rounded down.~~

*Example: A tract zoned "RM" has a common boundary of 1,000' with an adjacent tract. The minimum required block length is 200'. 2 external connections are required  $(1,000' \div (2 \times 200)) = 1,000 \div 400 = 2.5$ , rounded down to 2.*

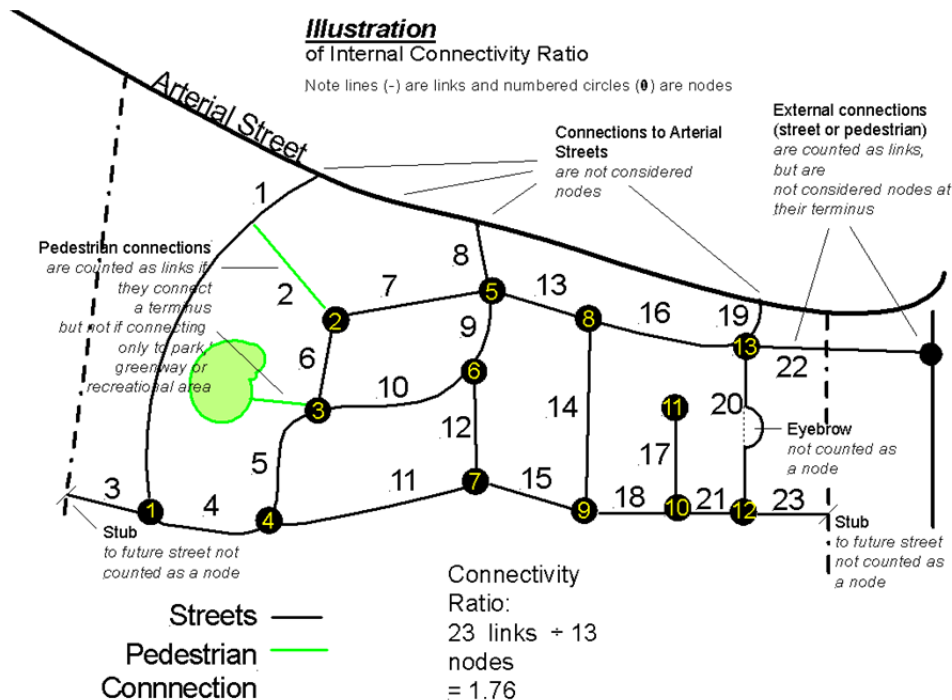
**(d) The number of external connections shall be determined by one of the following:**

- 1. The property boundary length divided by twice the minimum block length (see § 89-38(d)(3)). In calculating this number, fractions are rounded down. Straight line approximations of the boundary length may be used if approved by the City Engineer.**

**Example: A tract zoned “RM” has a common boundary of one thousand (1,000’) feet with an adjacent tract. The minimum required block length is two hundred (200’) feet. Two (2) external connections are required  $(1,000 - (2 \times 200)) = 1,000 / 400 = 2.5$ , rounded down to 2.**

- 2. For developments fronting streets designated as arterials or which have speed limits of 35 mph or greater, only one external connection to said street is permitted.**
- 3. A greater or lesser number of external connections may be allowed if a Traffic Impact Analysis establishes that varying from the requirements set forth above would not adversely impact the flow of traffic.**

- (t) The illustrative graphic in Section 89-44(b)(4) is hereby deleted and replaced with the graphic below:



- (u) Section 89-44(d)(4) is hereby amended by enacting a third bullet point under the definition of “node” to read as follows:

- The Terminus of a Local street that provides a stub for a future public street connection.**

(v) Section 89-53(b)(1)(a) is hereby amended and reenacted to read as follows:

The council, by the ~~introduction~~ **passage** of an ordinance **or resolution**, or

(w) Section 89-53(d) is hereby amended and reenacted to read as follows:

The following notice is required for a rezoning hearing (References: La. R.S. 33:4724 [zoning amendments]):

Type	When provided
Publication	<ul style="list-style-type: none"><li>• At least three (3) times if published in the official journal</li><li>• At least ten (10) days between the first publication and the hearing</li></ul>
Signs	<ul style="list-style-type: none"><li>• PZD will place signs on or before the first date of publication before the meeting.</li></ul>
Mail	<ul style="list-style-type: none"><li>• The PZD will mail notice at least ten (10) days before the public hearing.</li><li>• <del>Notice is provided, at a minimum, to the owner or owners of record of the properties to be zoned or rezoned.</del> <b><u>Notice is provided to all of the immediate adjacent property owners of record and the owners of property immediately adjacent to that property per the latest tax assessor's tax rolls. Property directly across the public road from the reclassification site is treated as adjacent property.</u></b></li></ul>
	<ul style="list-style-type: none"><li>• Where a comprehensive rezoning revision of more than 100 parcels is to be considered, the sign and mailing requirements shall not apply if notice is provided by publication as set forth above and at La. R.S. 33:4724</li></ul>

(x) Section 89-60(d) is hereby amended and reenacted to read as follows:

The Hearing Examiner meetings and the subsequent Planning and Zoning Commission Meeting are subject to the notice requirements of § 89-57(d) (Preliminary Plat), **except that for the Hearing Examiner meetings notice by publication in the official journal of LCG shall be within five days of the hearing.**

(y) Section 89-69(d) is hereby amended and reenacted to read as follows:

Type	When provided
Publication	<ul style="list-style-type: none"><li>• 5 days before the scheduled hearing</li></ul>
<del>Certified</del> <b><u>Regular</u></b> Mail	<ul style="list-style-type: none"><li>• 5 days before the scheduled hearing</li><li>• Notice is mailed to owners of property located within 300 feet of the proposed development as determined by reference to the most current tax rolls as periodically updated by the Lafayette Parish Tax Assessor.</li><li>• If the owner of any property within 300 feet of a proposed subdivision is a condominium development, the notices shall be sent to the condominium association who will provide the notice to each condominium unit owner.</li></ul>

(z) Table 89-151-1 is hereby amended by adding a definition of “Storm Water Management Facility” between the definitions of “State” and “Street,” to read as follows:

<u><b>Storm Water Management Facility</b></u>	<u><b>Any facility proposed for a development that controls the flow of storm water including, but not limited to, ponds and basins.</b></u>
---	--

(aa) Section 89-300(e) is hereby enacted to read as follows:

**In the event of a conflict between the provisions of this Article and Articles 1-9, the provisions of Articles 1-9 shall control over the provisions herein.**

(bb) Section 89-301 (b) is hereby amended and reenacted to read as follows:

Platting, Boundary Adjustment, **and** Re-Subdivision, ~~and PZC Appeal~~

(cc) Section 89-301 (c) is hereby amended and reenacted to read as follows:

Zoning/Rezoning, Zoning ~~Appeal and~~ Variance, Conditional Use Permit, and Commercial Building Permit

(dd) Section 89-403 is hereby amended and reenacted to read as follows:

**89-403 Effect on Building Permits**

**When requested by the applicant, a complete building permit application submitted no later than close of business December 4, 2015 shall be administered under the regulations in place prior to the Effective Date. Building permits applied for after the Effective Date shall be subject to all applicable provisions of Articles 1 through 10.**

## Amended September 2015 O-214-2015

Words **underscored and boldfaced** being additions:

Pursuant to Article X of the City of Lafayette Comprehensive Zoning Ordinance and Section 89-53(b) of the Lafayette City-Parish Code of Ordinances, the Lafayette City-Parish Council hereby amends Chapter 89 of the Lafayette City-Parish Code of Ordinances, Appendix A – “Louisiana Avenue Zoning and Development Overlay District,” by deleting and reenacting the “Prohibited Uses” section of the Overlay District regulations to provide as follows:

**PROHIBITED USES**

The following uses are expressly prohibited in the Overlay District.

1. Nightclub, bars and lounges
2. Pawn shops
3. Open outdoor storage of any type, including but not limited to units for sale, such as motor vehicles or boats for sale
4. Vehicle repair or vehicle repair services
5. Car washes
6. Display or sale lots for the sale of manufactured homes and/or moveable homes
7. Mobile home parks
8. Travel trailer/RV parks
9. Self-storage or warehousing units
10. **Apartment House, Apartment hotel, Multi-family, and Live/Work Dwellings, except as to any property located within the RM (Residential Mixed) zoning district, where the same shall be permitted**

## Amended November 2015

### O-252-2015

Words in ~~strike through~~ being deletions from existing law, and words **underscored and boldfaced** being additions:

- (a) Section 89-10(b)(1) is hereby amended and reenacted to read as follows:

Maximum Density for attached or zero lot line (dwelling units per gross acre) is as follows:

District	Density (max)
RM-1	<del>45</del> <b><u>17</u></b>
RM-2	<del>35</del> <b><u>42</u></b>

- (b) Table 89-21-2, the “Use Table,” is hereby amended to reflect that the Condominium/Townhouse/Row House residential use type is permitted in the Commercial Mixed (“CM”) zoning district:



Table 89-21-2 Use Table

Use Category	"A" Agricultural	"RS" Residential Single-Family	"RM" Residential Mixed	"MN" Neighborhood Mixed Use	"MX" Mixed-Use Center	"D" Downtown	"CM" Commercial Mixed	"CH" Commercial Heavy	"PI" Public/Institutional	"IL" Industrial Light	"IH" Heavy Industrial
<b>Residential</b>											
<b>Residences:</b>											
Condominium/Townhouse/Row House		P	P	P	P	P	P				

- (c) Section 89-30(b)(8) is hereby amended and reenacted to read as follows:

The property owner may place fences, planting, or any other temporary obstructions in the public servitudes if, upon request, the ~~fences, planting or~~ temporary obstructions will be removed by the property owner.

- (d) Section 89-35(c)(3) is hereby amended and reenacted to read as follows:

Or apply for a Subdivision Improvements Agreement as described below. **At least eighty (80%) percent of the public improvements must be completed prior to application for a Subdivision Improvements Agreement.**

- (e) Section 89-38(c)(4)(b) is hereby deleted and the following subsections "c," "d," and "e" are hereby renumbered as "b," "c," and "d":

~~In the City, lots established in any subdivision plat must comply with the following minimum frontage requirements:~~

	Use			
	Attached Residential	Detached Residential	Mixed Use / Live Work	Commercial / Industrial
Frontage (min.)	25 feet	40 feet	30 feet	NA

- (f) Section 89-38 (c)(4)(e) is hereby deleted and the following subsection 'f' relabeled as 'e':

~~When lots abut or adjoin a natural drainage way or open drainage facility that require a drainage easement or servitude as provided for in this Chapter, permanent building improvements on those lots shall be set back at least 10 feet from the platted drainage easement or servitude.~~

- (g) Section 89-38(c)(9) is hereby amended and reenacted to read as follows:

a. The narrowest **part of the lot** (i.e., the “pole,” “flag” or “staff” portion”) ~~part of the lot~~ must be at least ~~20’~~ **30’** wide at all points.

**i. Minimum pole/staff length: 60’**

**ii. Maximum pole/staff length: 200’**

b. No building, structure, wall or fence is permitted within the **pole**/staff portion of the lot.

c. The **pole**/staff portion of the lot must include a driveway ~~or private road~~ providing access to the lot.

d. The restrictions above must be shown on the face of the subdivision plat in the form of a notation or a part of the dedicatory language on the plat.

(h) Section 89-38(e)(7)(a) is hereby amended and reenacted to read as follows:

a. Setback. ~~Y~~**Y**ard setbacks are as follows:

Front setback	20 feet
Side setback ( <del>where side lot line abuts right of way</del> )	5 feet
Rear setback ( <del>where rear lot line abuts right of way</del> )	10 feet

(i) Section 89-39(h)(4)(a) is hereby amended and reenacted to read as follows:

Non-residential lots. The surface of parking lots shall be constructed of concrete or asphalt in accordance with the ~~specifications of~~ **construction plans approved by PW**. ~~The surfacing shall be constructed of six inches of mesh reinforced concrete or eight inches of full depth asphalt or six inches of stabilized base and 1½ inches of asphalt.~~

(j) Within Section 89-44(b)(4)(a) The first sentence of the definition of the term “Node” is hereby amended and reenacted as follows:

The intersection two (2) or more streets (**vehicular street or pedestrian connection**) ~~a cul-de-sac head~~ or a **vehicular** dead end.

(k) The graphic entitled “Illustration of Internal Connectivity Ratio” located in Section 89-44(b)(4) is hereby deleted.

(l) Section 89-44(d)(1)(k) is hereby amended and reenacted to read as follows:

It shall be unlawful to develop property in ~~phases~~ **Phases** or otherwise as a means of avoiding paving Private Street(s) in compliance with these regulations. For purposes of these regulations, all potential ~~phases~~ **Phases** of a proposed development will be counted to determine the number of lots or units in any such development. No individual, directly or through the interposition of any legal entity, whether an individual, corporation, partnership, limited liability company, association, trust or other entity, shall be permitted to develop property by ~~phases~~ **Phases** or any other

means in an effort to avoid compliance with the requirement of paving Private Street(s) in accordance with these regulations or that would otherwise circumvent the intent of these regulations. No property contiguous to a development in which Private Street(s) are installed as permitted herein shall be developed by the same person either directly or through the interposition of any legal entity, whether an individual, corporation, partnership, limited liability company, association, trust or other entity for a period of two years after occupancy of the last unit occupied in the previously approved subdivision.

(m) Section 84-46(d)(3)(f)(5) is hereby amended and reenacted to read as follows:

It shall be unlawful to develop property in ~~phases~~ **Phases** as a means of avoiding the installation of a community-type sewage disposal system in compliance with this ordinance. For purposes of this ordinance, all potential ~~phases~~ **Phases** of a proposed development will be counted to determine the number of lots or units in any such development. No individual, directly or through the interposition of any legal entity, whether an individual, corporation, partnership, limited liability company, association, trust or other entity, shall be permitted to develop property by ~~phases~~ **Phases** or any other means in an effort to avoid compliance with the requirement to install a community-type system in accordance with this ordinance. No property contiguous to a development in which individual systems are installed as permitted herein shall be developed by the same person either directly or through the interposition of any legal entity, whether an individual, corporation, partnership, limited liability company, association, trust or other entity for a period of two years after occupancy of the last unit occupied in the previously approved subdivision.

(n) Section 89-54(d) is hereby amended and reenacted to read as follows:

**(d) What kind of public notice is required?**

The following notice is required for a conditional use permit hearing:

Type	When provided
Mail	<ul style="list-style-type: none"> <li><del>The applicant will mail notice at least 10 days before the public hearing.</del></li> <li><b><u>PZD will mail notice at least 10 days before the public hearing.</u></b></li> <li>Notice is provided to all of the immediate adjacent property owners of record and the owners of the property immediately adjacent to that property per the latest tax assessor's tax rolls. Property directly across the public road from the reclassification site is treated as adjacent property.</li> </ul>
Signs	<ul style="list-style-type: none"> <li><b><u>PZD will place signs</u></b> at least 14 days before the scheduled Planning and Zoning Commission hearing</li> </ul>

(o) Section 89-54(e)(3)b is hereby amended and reenacted to read as follows:

After receiving the Planning and Zoning Commission's recommendation (or after the time period for a report and recommendation expires), the Council will ~~adopt, adopt with revisions,~~ **grant, grant as modified,** or deny the ~~rezoning~~ **conditional use permit.**

(p) Section 89-54(e)(3)(c) is hereby deleted in its entirety as being superfluous:

~~After receiving the planning and Zoning Commission's recommendation (or after the time period for a report and recommendation expires), the Council will adopt or deny the conditional use permit.~~

(q) Section 89-65 (e) is hereby amended and reenacted to read as follows:

What are the standards for approval?

**(1)** No Certificate of Occupancy shall be issued unless the building, land, or structure complies with all provisions of this Chapter and all terms and conditions of any building permits previously issued for the building, land, or structure.

**(2) No Certificate of Occupancy shall be issued for projects that include site work (i.e., work that is not part of the physical structure of the building itself, including, but not limited to, grading and excavation, as well as the installation of drainage, utilities and driveways) without certification from the architect and/or engineer of record that the on-site drainage system and any work within the public right-of-way is in accordance with the approved construction plans. If there is no architect or engineer of record associated with the project, the licensed general contractor may provide such certification.**

(r) Section 89-68(d) is hereby amended and reenacted to provide the following notification requirements:

Type	When provided
<b>Publication</b>	<ul style="list-style-type: none"> <li>10 days before the scheduled hearing</li> </ul>
<b>Regular Mail</b>	<ul style="list-style-type: none"> <li>5 days before the scheduled hearing</li> <li>Notice is mailed to owners of property located within 200 feet of the proposed development as determined by reference to the most current tax rolls as periodically updated by the Lafayette Parish Tax Assessor.</li> <li>If the owner of any property within 200 feet of a proposed subdivision is a condominium development, the notices shall be sent to the condominium association who will provide the notice to each condominium unit owner.</li> <li><del>7 days before the scheduled hearing, signs are erected by the LCG.</del></li> </ul>
<b>Signs</b>	<ul style="list-style-type: none"> <li><del>5 days before the scheduled hearing</del> <u>7 days before the scheduled hearing, signs are erected by LCG.</u></li> </ul>

(s) Section 89-69(a)(1) is hereby amended and reenacted to read as follows:

This section applies to any appeal of any **Planning and Zoning Commission action** concerning the approval or denial of a proposed subdivision ~~or conditional use permit.~~

(t) Section 89-75(a)(3)(a) is hereby amended and reenacted as follows:

Has been vacant for at least 2 years, and is located in a designated historic structure, ~~or in a~~ **designated** historic district, **a designated historic neighborhood, landmark, property, or cultural resource,** or

(u) Section 89-77(b) is hereby amended and reenacted as follows:

Historic Significance. The structure where the bed and breakfast is established must be –

(1) Defined as any residential structure designated as a landmark by the Lafayette Preservation Commission, or

(2) Listed on the National Register of Historic Places, or -

**(3) Located in a structure, district, neighborhood, landmark, property, or cultural resource that has been officially designated as historic.**

(v) The table in Section 89-80 (f) is hereby amended and reenacted to read as follows:

	Condition / Location	MN	MX	D	CM
<b>Legal Nonconformities</b>					
The drive-through is a legal nonconformity. A nonconforming drive-through may expand on the same lot if -		✓	✓	✓	✓
<ul style="list-style-type: none"> <li>The additional vehicle lanes and service windows are located entirely behind the principal building and are not visible from the sidewalk.</li> </ul>		✓	✓	✓	
<ul style="list-style-type: none"> <li>Additional vehicle lanes are not added or widened at the frontage line or sidewalk.</li> </ul>					✓
<b>New Drive-Through Facilities</b>					
A new drive-through facility must comply with one of the following conditions -					
<ul style="list-style-type: none"> <li>The drive-through facility is located on an interior lot, with all service windows located behind or to the side of the principal building.</li> </ul>					✓
<ul style="list-style-type: none"> <li>The drive-through facility is located on an interior lot, with all service</li> </ul>		✓	✓		✓

windows and vehicle lanes located behind or to the side of the principal building.

• The drive-through facility is located on a “B” Street.		✓	✓	✓
• The drive-through facility is located at least 500 feet from another drive-through facility, and all service windows are located behind or to the side of the principal building.	✓	✓	✓	✓

(w) Section 89-79(b)(2) is hereby amended and reenacted to read as follows:

Cemeteries and mausoleums are not considered accessory to churches or worship centers, and are therefore not allowed, in the “RS” and “~~RM~~” **“MX”** districts.

(x) The table in section 89-84(b) is hereby amended and reenacted to read as follows:

	<u>Minimum Frontage Buildout (see § 89-27(c)29(d))</u>						Entrance	
	RS	RM	MN	MX	D	CM	Street Facing?	Spacing between entrances along front facade
Apartment Hotel	--	--	50%	Z	Z	65%	Yes	75'
Apartment House	--	50%	65%	Z	Z	65%	Yes	--
Cottage Courts	--	--	--	--	--	--	--	--
Live/Work Dwelling	--	25%	45%	Z	Z	--	Yes	--
Mixed Use Building	--	--	65%	Z	Z	65%	Yes	65'
Multi-family	--	40%	65%	Z	Z	--	Yes	100'
Townhouse / Row house	--	35%	65%	Z	Z	--	Yes (each unit along frontage)	--
Zero lot line home	--	--	--	Z	--	--	Yes	--

(y) Section 89-84 (d)(4)b is hereby amended and reenacted to read as follows:

The total floor area of each cottage shall not exceed either 1.5 times the area of the ground floor area, or ~~1,500~~ **1,200** square feet, whichever is less.

(z) Section 89-98(b) is hereby amended and reenacted to read as follows:

(b) **Establishment and Scope.** ~~A non-conforming use may expanded, extended, or increased in volume if approved by the Board of Zoning Adjustment. The use was established without conditions, and it would now require a conditional use permit or subject to new use regulations.~~

(1) This Section applies only to uses established without conditions.

~~(2) A commercial or non-residential non-conforming use is continuous if—~~

~~a. it is opened for business at least 4 hours per day per 5 days per week, and~~

~~b. the structure is maintained in accordance with the LCG Code or other state or federal laws or regulations.~~

~~(3)-(2)~~ The existence of a nonconforming use on part of a lot or tract does not establish a nonconforming use on the entire lot or tract.

(aa) The text of Section 89-98(e)(3) prior to subsection (a) of Section 89-98(e)(3) is hereby amended and reenacted to read as follows:

The ~~Planning and Zoning Commission~~ **Board of Zoning Adjustment** may approve a ~~conditional use permit to~~ **the relocation of** ~~relocate~~ a nonconforming use, **subject to the following:** ~~In addition to the standards for approving a conditional use permit, following standards apply—~~

(bb) Section 89-98(f)(2) is hereby amended and reenacted to read:

**(2) Where allowed.** The Board of Zoning Adjustment may approve an extension or expansion of a nonconforming use if **the extension or expansion does not involve or create a nonconforming structure or nonconforming site improvement, or it is required by a federal, state, or local law or a final court order.**

~~a. Obtains a conditional use permit (see Article 4), and~~

~~b. The extension or expansion does not involve or create a nonconforming structure or nonconforming site improvement; or~~

(cc) Section 89-98(g) is hereby deleted in its entirety and subsequent sections are renumbered:

~~The expansion is necessitated by a federal, state, or local law or a final court order.~~

~~(dd)~~ Section 89-99(b)(2) is hereby amended and reenacted to read:

The use is permitted in the district in which the lot is located; **and**

(ee) Section 89-100(b) is hereby amended and reenacted to read:

(b) Generally

(1) A nonconforming building **or structure** may not be reconstructed or structurally altered except as provided in this section.

(2) Buildings **or structures** used for neither commercial nor industrial purposes and **which** are nonconforming only as to yard areas or density may be structurally altered and their building volume increased if the alteration or increase in building volume does not ~~further~~ encroach upon any required yard space or any required off-street parking area.

(ff) The second sentence of 89-101(a) is hereby amended and reenacted to read as follows:

A “nonconforming site improvement” means a lawfully established development that does not conform to the building design, infrastructure, landscaping, parking, site design, supplemental use regulations, or other regulations of Article **2**, 3 or 5 that would otherwise apply.

- (gg) Table 89-151-1 is hereby amended by adding a definition of “Density” to read as follows:

<b><u>Density</u></b>	<b><u>The number of dwelling units divided by the total land area subject to an Application, stated as dwelling units per gross acre.</u></b>
-----------------------	---

- (hh) Table 89-151-1 is hereby amended by adding a definition of “Phase” to read as follows:

<b><u>Phase</u></b>	<b><u>One of a series of sequentially platted developments which, when taken together, form a singular, integrated development, regardless of whether the same is formally designated as a phased development plan. In determining whether a development is a Phase of a singular, integrated development, the Administrator shall consider: whether the development is dependent upon another development for ingress and egress; whether the development is dependent upon another development for utilities, drainage or sewer; the unity or relatedness of ownership of the developments (i.e., whether the development is owned by the same or related natural or legal persons); and any other factor which shows or tends to show that the development was intended to form a part of a singular and integrated development.</u></b>
---------------------	---

- (ii) Section 89-404 is hereby enacted to read as follows:

**89-404 Effect on Decisions of the Hearing Examiner**

**When a plat application is reviewed and finally acted upon by the hearing officer prior to December 7, 2015 in accordance with Section 9A of the Subdivision Regulations for the City of Lafayette, Louisiana or Chapter 4A of the Subdivision Regulations for Lafayette Parish, Louisiana, then, to the extent that further action is required of the Planning and Zoning Commission, the Planning and Zoning Commission shall review such application under the regulations in place prior to the Effective Date.**

- (jj) Section 89-14(b)(3) is hereby deleted, and the remainder of Section 89-14 is hereby renumbered accordingly. Section 89-14(b)(3) shall read as follows:



**(b) Dimensional Standards**

Lot Requirements	
1 Lot size	n/a
2 Open space ( <i>min</i> )	15%

Setbacks ( <i>principal buildings</i> )	
3 Front / corner street ( <i>min</i> )	n/a
4 Front / corner street ( <i>max</i> )	15'
5 Frontage buildout ( <i>min</i> )	65%
6 Side ( <i>min</i> )	n/a
7 Rear-common property line or alley ( <i>min</i> )	5'

Bulk Plane ( ⇄ See 89-27)	
8 From RS district boundary	3 stories for the first 50' from the front, side or rear lot line, then 1 additional story for each additional 50 feet from the setback line. This requirement does not apply beyond 200' from any lot line bordering the RS district.

- (1) Maximum **density** is 25 dwelling units per gross acre. This applies to mixed-use buildings or to residential uses permitted in the district.
- (2) A buffer may be required (see Article 3, § 89-36).
- ~~(3) A building or portion of a building located within 100' of an RS district may be no more than 35' or two stories in height.~~
- ~~(4)~~ **(3)** In the CM district, goods or merchandise or materials may be stored or displayed outside a building only in a sidewalk frontage zone (see Article 3, § 89-44 (f)).
- ~~(5)~~ **(4)** Drive-in and drive-through establishments are subject to Article 5, § 89-79.

(kk) Table 89-21-2, the “Use Table,” is hereby amended to permit the Manufacturing, Intensive use within the Industrial Light (“IL”) zoning district, and, to denote the same, the letter “P” shall be added to the Use Table at the intersection of the row “Manufacturing, Intensive” and the column “IL’ Industrial Light.”

Table 89-22-2 Use Table

Use Category	"A" Agricultural	"RS" Residential Single-Family	"RM" Residential Mixed	"MN" Neighborhood Mixed Use	"MX" Mixed-Use Center	"D" Downtown	"CM" Commercial Mixed	"CH" Commercial Heavy	"PI" Public/Institutional	"IL" Industrial Light	"IH" Heavy Industrial
<b>Industrial / Production</b>											
<b>Manufacturing &amp; Employment:</b>											
Manufacturing, Intensive										P	P

(ll) The definition of "Self-service storage facility" within Section 89-21(d) is hereby amended and reenacted to read as follows: "A building or group of buildings in a controlled access compound that contains varying sizes of individual, compartmentalized, controlled access stalls or lockers for the storage of customers' residential and/or commercial goods."

(mm) Section 89-84(a)(3) is hereby amended and reenacted to read as follows:

(3) The following housing types are regulated separately and are not subject to this section –

- Dwelling, single-family detached and Dwelling, two-family (duplex) (↔ *Zoning district regulations in Article 2; development standards in Article 3 generally*)
- Accessory Apartments (↔ *see § 89-74*)
- Manufactured Home / Manufactured Housing Land Lease Community (↔ *see § 89-86*).

(nn) Section 89-90(t) is hereby amended and reenacted to read as follows:

Signs in "PD" zoning districts. Sign standards for a PD are designated in the ordinance approving the PD.

(oo) Section 89-92(b)(3)(C)(2) is hereby deleted.

#### c. Public Right-of-Way

The outdoor sale shall not obstruct any public right-of-way or utility easement, or reduce the clear width of any sidewalk to less than 4 feet.

~~If any part of the temporary sales activity occurs on a public right of way, the~~  
a

## **Amended February 2016**

### **O-055-2016**

Article 2 of the UDC, Section 89-21 Use Table (c), Table 89-21-1 Use Table should be amended to:

- Add Retail, limited (A) as a permitted use in the MN (Mixed Use Neighborhood), MX (Mixed Use Center), D (Downtown), CM (Commercial Mixed), CH (Commercial Heavy) and IL (Industrial Light) zoning districts and as an Accessory use in the PI (Public/Institutional) zoning district.

And add

- Retail, limited (B) as a permitted use in the MX (Mixed Use Center), D (Downtown), CM (Commercial Mixed), CH (Commercial Heavy) and IL (Industrial Light) zoning districts and as an Accessory use in the PI (Public/Institutional) zoning district.
- And remove Retail, general as a permitted use in the MN and CM zoning districts.

Pursuant to Article 2 of the UDC, Section 89-21 (d), definitions, should be amended to add:

- Retail, limited (A)

An establishment engaged in the sale and/or rental of goods such as apparel and accessories/uniforms, bicycles, cameras and photographic supplies, candy and confections, electronics, entertainment media (such as videos, compact discs, DVDs, or computer games), floral goods, gifts and novelties, hardware, health and personal care (such as pharmacies, cosmetics and optical or surgical supplies), hobby, home décor, jewelry, luggage and leather goods, music, news media (newsstand), office supplies, pets, picture frames, shoes, sporting goods, stationary, tobacco, toys, used merchandise/antiques, arts and crafts, or similar items. This includes artist studios/galleries that both create and sell visual artwork. Uses in Retail, Limited (A) shall be limited to six thousand (6,000) gross square feet per lot.

And

Retail, Limited (B)

An establishment engaged in the sale and/or rental of all goods permitted in Retail, Limited (A) with no limitation on gross square feet per lot, and, additionally, the sale and/or rental of goods such as beer or liquor (package), firearms, and furniture.

And redefine Retail, general as follows:

Retail, General

An establishment engaged in the sale and/or rental of all goods permitted in Retail, Limited (B), and, additionally, appliances, auto parts/tires, general merchandise, heating and plumbing equipment, and pawn shops. This Use classification shall also include the sale and/or rental of goods at establishments such as department stores, warehouse clubs, variety stores, superstores, swap meets or flea markets, auctions, and consumer goods rental/general rental centers.

## Amended March 2016

### O-055-2016

Words in ~~strike through~~ being deletions from existing law, and words **underscored and boldfaced** being additions:

- (a) Section 89-10(b)(2) is hereby amended and reenacted to read as follows:

~~A detached Single-Family residence shall have the same minimum lot size and alley requirements as the RS zoning district.~~ **Notwithstanding that there is no minimum lot size in the RM zoning district, a detached Single-Family Residence in the RM-1 zoning district shall be subject to the same minimum lot size requirements as the RS-1 zoning district, and a detached Single-Family Residence in the RM-2 zoning district shall be subject to the same minimum lot size and alley requirements as the RS-2 zoning district.**

- (b) Section 89-14(b)(3) is hereby amended and reenacted to read as follows:

Drive-in and drive-through establishments are subject to Article 5, § 89-~~79~~**80**.

- (c) Section 89-14(b) is hereby amended to enact subsections (4), (5) and (6), to read as follows:

**(4) Whenever a setback greater than the maximum setback established in this Section would be required under § 89-38(f), the setback requirements of § 89-38(f) shall supersede the maximum setback established in this Section. In such a case, the setback required under § 89-38(f) shall be the maximum setback.**

**(5) The minimum frontage buildout established by this Section may be reduced to the extent necessary to satisfy any other requirement of this Chapter.**

**(6) Where a lot in the CM district has 100 feet or less of street frontage and a driveway is provided for access to that street frontage, the minimum frontage buildout for**

that street frontage may be reduced by a maximum of 35 feet to provide adequate space for the driveway and required landscaping.

(d) Table 89-21-2, the “Use Table,” is hereby amended and reenacted to delete the term “condominium” from the Townhouse/Row House use classification:

Use Category

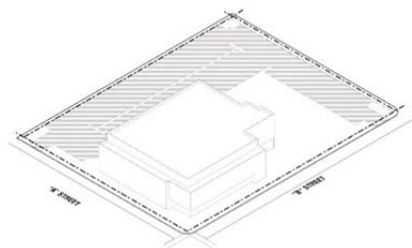
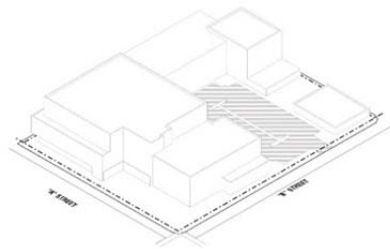
**Residential**

*Residences:*

~~Condominium~~/Townhouse/Row House

(e) The Parking regulations within the Site Element table in Section 89-28(h) are hereby amended and reenacted to read as follows, with the remainder of the Site Element table being unchanged:

Site Element	Definition & General Requirements	Site Category 1	Site Category 2
Parking	<ul style="list-style-type: none"><li>• This establishes the location and size of parking areas.</li><li>• The reduced parking ratios established here are in addition to any shared parking reductions in § 89-39.</li><li>• A parking space located on a street is included in the calculation of required parking space if it is adjacent to the building site where the use is located.</li></ul>	<ul style="list-style-type: none"><li>• Required parking spaces are reduced to 50% of those otherwise required, and are limited to 120% of the required spaces (see § 89-39)</li><li>• At least 85% of the parking spaces must be located to the rear of the principal building, in an interior courtyard, or a shared parking structure.</li></ul>	<ul style="list-style-type: none"><li>• Required parking spaces are reduced to 50% of those otherwise required (see § 89-39). No maximum applies.</li><li>• Parking may be located between the street and the principal building, <b><u>except where, pursuant to § 89-39(d), parking is required to be located at the rear or side of a building.</u></b> Front and interior landscaping requirements apply.</li></ul>



(f) Section 89-36(a)(1)(b) is hereby amended and reenacted to read as follows:

b. This section does not apply to --

1. Single-family detached residences.

2. Developments without a vehicular use area.

3. The “MX” (Mixed Use) **District for Site Category 1 developments, and** ~~or~~ “D” (Downtown) Districts.

(g) Section 89-36(c)(2) is hereby amended and reenacted to read as follows:

Multiple street frontages. **Except as provided in section § 89-36(c)(1)(b) above, On-on** lots with multiple frontages, the landscape strip shall be provided on all street frontages. However, **all** landscaping ~~within the sight triangle~~ shall comply with line of sight regulations (see § 89-44(f)).

(h) Section 89-39(g)(5)(b) is hereby amended and reenacted to read as follows:

If parking over this percentage is requested or planned, the owner must install corresponding Green Infrastructure to their site for the space needed for the excessive parking. The area of Green Infrastructure is a 2:1 ratio to the area of the access isle and parking spaces over the percentages in subsection ~~4a~~. Green Infrastructure provided herein shall qualify as Parking Lot Landscaping for the purposes of Open Space requirements.

(i) Section 89-40(a)(1) is hereby amended and reenacted to read as follows:

Any subdivision of property, except for a single-family residential subdivision of less than ten (10) lots ~~or less than two acres~~.

(j) Section 89-40(d) is hereby amended to add Sidewalks to the list of Civic Spaces credited toward the total required open space, with the remainder of Section 89-40(d) being unchanged:

Category	Description / Standards	Percentage
<b><u>Sidewalks</u></b>	<b><u>A component of the Public Frontage with a continuous, unobstructed, accessible, paved area dedicated to pedestrian movement along the private frontage, built in accordance with § 89-44(e) and dedicated to public use.</u></b>	<b><u>Up to 40%</u></b>

(k) Section 89-44(f)(1) is hereby amended to enact subsection d., to read as follows:

**d. This subsection shall apply to properties located at the intersection of a public street with a public street, the intersection of a public street with a private street, and as otherwise provided herein.**

(l) Section 89-44(f) is hereby amended to enact subsection (6), to read as follows:

**(6) For permitting purposes, a 30 foot sight triangle may be used instead of the line of sight calculations for corner lots located at the intersection of a private street with a private street. On such corner lots, no driveway, automobile, trailer, sign, movable object, fence, wall, hedge, or other structure shall be erected, placed, or maintained within the triangular area formed by the intersection projections of the lines forming the edge of the pavement at points which are 30 feet distant from the point of the intersection, measured along the edge of the pavement. Notwithstanding the foregoing, if the speed limit for either intersecting private street would require line of sight distances greater than the 30foot sight triangle, it shall be the responsibility of the developer to comply with AASHTO safety guidelines and present those findings on the permit drawings.**

(m) Figure 89-44-2 is hereby redesignated as Figure 89 44-1, and Figure 89-44-4 is hereby redesignated as Figure 89-44-2.

(n) Section 89-80(e)(1) is hereby amended and reenacted to read as follows:

Drive-through facilities shall provide a minimum stacking length as provided in Table 89-7980-1 (Drive-Through Stacking Length), below. The stacking lengths provided below are in addition to any aisle or parking space.

(o) The penultimate sentence in Section 89-84(b) is hereby deleted, with the remainder of Section 89-84(b) being unchanged:

~~If street facing is required, at least one of the following entry types is required along the street frontage, with minimum spacing as indicated in the table above.~~

- (p) The cross-reference in Section 89-85(b) is hereby amended and reenacted to reference the appropriate section as follows, with the remainder of Section 89-85(b) being unchanged:

Buffer (↔ see § 89-~~34~~**36**)

- (q) Section 89-89(b) is hereby amended and reenacted to read as follows:

Lot Size. The maximum lot size for a self-service storage facility in the “CM” or “MN” zoning district is 3 acres.

- (r) Section 89-98(d)(1) is hereby amended to and reenacted to read as follows:

- (1) Once changed to a more restricted use or to a conforming use, no building or land shall revert to a nonconforming use. **Notwithstanding the foregoing, in the “D” (Downtown) zoning district, any structure originally constructed and used as a “Dwelling, Single Family Detached” or “Dwelling, Two-Family (Duplex)” (as those terms are defined in this Chapter) and thereafter used as a non-residential use, such structure may revert to its previous residential use notwithstanding the fact that such structure had been converted to a non-residential use.**

- (s) The definition of Front Lot Line found within Section 89-151 is hereby amended and reenacted to read as follows, with the rest of Section 89-151 being unchanged:

The property line of any lot or parcel that abuts ~~the~~ a street right-of-way (other than an alley). A corner lot has two Front Lot Lines. ~~If there is an existing sidewalk, or a sidewalk designated on the subdivision plat or the capital improvements program of the LCG, the front lot line is considered the edge of the sidewalk furthest from the street for purposes of measuring the front setback.~~

- (t) Lines 20, 23 and 45 of Section 89-301(b) are hereby amended and reenacted to read as follows, with the remainder of Section 89-301(b) being unchanged:

- 20 Adjacent Property Owners (within the required notification distance) **including property directly across a Public or Private Road from the platted boundary, which shall be treated as adjacent property**



- 23 North arrow **(in the same orientation as the plat)** and scale (written and graphic) for the plat vicinity map (1" = 3,000') **showing the location of the proposed subdivision or development and the entire subject property**
- 45 Location, ~~number of stories, and~~ footprint **of any existing building or structures, and** ~~gross square footage of existing buildings or structures~~
- (u) Line 12 of Section 89-301(c) is hereby amended and reenacted to read as follows, with the remainder of Section 89-301(c) being unchanged:
- 12 Adjacent Property Owners (within the required notification distance) **including property directly across a Public or Private Road from the platted boundary, which shall be treated as adjacent property**

(v) Section 89-98(f)(3) is hereby amended and reenacted to read as follows:

~~The expansion is necessitated by a federal, state, or local law or a final court order.~~  
**Dwelling, Single Family Detached. The Administrator may approve an extension or expansion of a nonconforming "Dwelling, single family detached" use (↔ § 89-21(d)) for which a building permit was issued prior to the Effective Date of this Chapter, provided that the extension or expansion does not encroach upon the minimum setbacks required in the RS-1 zoning district or otherwise create any site improvements that would be nonconforming in the RS-1 zoning district.**

(w) Section 89-100(g) is hereby enacted to read as follows:

**Corner lots in subdivisions which have received preliminary or final subdivision plat approval prior to the Effective Date of this Chapter may be developed in accordance with the minimum yard requirements applicable to the said corner lots prior to the Effective Date.**